

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
MEDFORD DIVISION

YOUTH 71FIVE MINISTRIES,

Case No. 1:24-cv-00399-CL

Plaintiff,

v.

OPINION AND ORDER

CHARLENE WILLIAMS, *Director of the
Oregon Department of Education, in her individual
and official capacities, et al,*

Defendants.

CLARKE, Magistrate Judge.

Plaintiff Youth 71Five Ministries brings this cause of action, alleging claims of religious discrimination against officials of the Oregon Department of Education and the Youth Development Division of Oregon. Full consent to magistrate jurisdiction was entered on March 22, 2024 (#20). On June 26, 2024, the Court denied Plaintiff's motion for a preliminary injunction and granted Defendants' motion for qualified immunity (Opinion and Order #39). On July 1, 2024, judgment was entered, and the case was dismissed. Plaintiff filed a notice of

appeal to the Ninth Circuit on July 1, 2024, and two days later Plaintiff filed a Motion for Injunction Pending Appeal (#43). For the reasons below, this Motion (#43) is DENIED.

DISCUSSION

In the Court's Opinion and Order (#39) denying the prior Motion for Preliminary Injunction, the Court determined that Plaintiff was not likely to succeed on the merits of its claims, that Plaintiff was not being irreparably harmed by Defendants' conduct, and that an injunction would not protect its constitutional rights, nor be in the public interest. Plaintiff's Motion for Injunction Pending Appeal (#43) reprises every single argument made in the prior motion. No new facts, law, or arguments are raised.

After reviewing the Motion (#43) and Defendants' Response (#44), the Court agrees with Defendants that Plaintiff fails to meet the burden necessary to justify the extraordinary relief of an injunction pending appeal, especially one that requires mandatory relief.

ORDER

For these reasons, Plaintiff's Motion for an Injunction Pending Appeal (#43) is denied.

DATED this 18 day of July, 2024.



MARK D. CLARKE
United States Magistrate Judge